

**The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, Cranston, RI on Tuesday, April 1, 2008 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Blackburn, Richard, Jackson, Preiss, Jasparro and Filippi. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella. The following cases were heard.**

**APPEAL #050926: Mr. Raymond Bazzano, for the property located at 10 Narragansett Avenue, Jamestown. Chief James Bryer and Deputy Chief Howard Tighe appeared for the Jamestown Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant a time variance of 120 by which time this facility must be vacated. If not vacated by 120 days from the hearing date, the Applicant is granted an additional 120 days in which to bring this facility into compliance. Within thirty days from the hearing date, the Applicant is directed to install an interconnected detection system in the stairways of this facility. The motion was unanimous.**

**APPEAL #070575: Trattoria Simpatico Inc., for the property located at 13 Narragansett Avenue, Jamestown. Chief James Bryer and Deputy Chief Howard Tighe appeared for the Jamestown Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Richard, to grant the following relief. The Applicant is granted a variance to maintain the cited tents beyond the thirty-day**

period allowed by statute. The Board finds that deficiency is informational only. The Applicant is granted a time variance until November 1, 2008 in which to bring the cited heaters into compliance, at the direction and to the satisfaction of the Jamestown Fire Marshal's office. The motion was unanimous.

**APPEAL #050501:** New Live Worship Center, for the property located at 915 Douglas Pike, Smithfield. DSFM Arthur DaCosta appeared for the State Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Jasparro, to grant the Applicant a time variance of eight months in which to complete the indicated renovations which the AHJ believes will correct the deficiencies in this facility, all work to be done at the direction and to the satisfaction of the State Fire Marshal's office. The motion passed with Vice Chairman Newbrook abstaining.

**APPEAL #050497:** Mr. George Young, for the property located at 258 Waterman Avenue, Smithfield. Assistant Deputy State Fire Marshals Scott Caron and Peter Macera appeared for the Smithfield Fire Marshal's office. Commissioner Jackson recused himself from consideration of this case. It was determined that this issue would be tabled for thirty days or until the Board reaches a determination on more detailed provisions of their requirements for a wireless system.

**APPEAL #050886:** Gina Rymer, for the property located at 2829 East

**Main Road, Portsmouth. ADSFM Phillip Simmons appeared for the Portsmouth Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant a time variance of sixty (60) days in which to correct the deficiency cited on the March 18, 2008 inspection report. The motion was unanimous.**

**APPEAL #060056: Mr. Lawrence J. Wenzel, for the property located at 2121 West Main Road, Portsmouth (Terrace Building). ADSFM Phillip Simmons appeared for the Portsmouth Fire Marshal's office. Commissioner Blackburn recused himself from consideration of this case. Vice Chairman Newbrook made a motion, seconded by Commissioners Jackson and Richard, to grant the Applicant a time variance of three months in which to design and have approved a compliant fire alarm system, and an additional six months from that time in which to install the system. All other deficiencies noted on the January 17, 2006 inspection report shall be corrected within ninety days. The motion was unanimous.**

**APPEAL #060057: Mr. Lawrence J. Wenzel, for the property located at 2121 West Main Road, Portsmouth (Garden Building). ADSFM Phillip Simmons appeared for the Portsmouth Fire Marshal's office. Commissioner Blackburn recused himself from consideration of this case. Vice Chairman Newbrook made a motion, seconded by Commissioner Jackson, to grant the Applicant a time variance of three months in which to design and have approved a compliant fire**

alarm system, and an additional six months from that time in which to install the system. All other deficiencies noted on the January 17, 2006 inspection report shall be corrected within ninety days. The motion was unanimous.

**APPEAL #060058:** Mr. Lawrence J. Wenzel, for the property located at 2121 West Main Road, Portsmouth (Garden Building). ADSFM Phillip Simmons appeared for the Portsmouth Fire Marshal's office. Commissioner Blackburn recused himself from consideration of this case. At the request of the AHJ, this case will be held over until May 13 in order that Marshal Simmons may complete his research and report on this facility. No determination of this case was made at this time.

**APPEAL #030109A:** Ms. Lois Maraia, for the property located at 180 Pine Street in Providence. Assistant Deputy State Fire Marshals Timothy Lutz Sr., and Richard Fournier appeared for the Providence Fire Marshal's office. It was determined that the parties needed more time to create a plan of action for this facility, and the parties will return on April 29, 2008.

**APPEAL #050257A:** Mr. Michael J. McKeon, AIA, for the property located at 205 Manville Hill Road, Cumberland. ADSFM Claude LaFlamme appeared for the Cumberland Hill Fire Marshal's office. Commissioner Jasparro made a motion, seconded by Commissioners

**Newbrook and Jackson, to approve the existing construction as presented. The motion was unanimous.**

**APPEAL #080068: Mr. Steve Cunha, for the property located at 101 Dudley Street, Providence. DSFM Wade Palazini appeared for the State Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioners Filippi, Blackburn and Richard, to grant the variance requested, pursuant to the inspection method required by the State Fire Marshal's office and agreed to by the Applicant. The motion was unanimous.**

**Respectfully submitted,  
Carol Marsella**